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*Warm Springs Road CVS, LLC and Travis Bill*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MIA EMERY, an individual,  
  
Plaintiff,

vs.

WARM SPRINGS ROAD CVS, LLC., a  
Domestic Limited-Liability Company; TRAVIS  
BILL, an individual; DOES I through X; and  
ROE CORPORATIONS I through X,  
  
Defendants.

Case No.: 2:23-cv-00360-JCM-DJA

**JOINT STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

Defendants Warm Springs Road CVS, LLC (“CVS”) and Travis Bill (“Defendants”), by and through their attorneys of the law firm of WEINBERG, WHEELER, HUDGINS, GUNN & DIAL, LLC, and Plaintiff Mia Emery (“Plaintiff”), by and through her counsel of record, the law firm of BURRIS & THOMAS, LLC, referred to individually as a “Party” or collectively as the “Parties,” hereby stipulate and agree to extend the discovery deadlines by sixty (60) days. Pursuant to LR 26-3, the Parties state as follows:

1           1.       Statement specifying discovery completed

2           Since approval of the Discovery Plan, the parties have served document disclosures, and have  
3 served and responded to written Interrogatories, Requests for Production of Documents, and Request  
4 for Admissions. The parties have scheduled and noticed the following depositions:

- 5           • Deposition of Defendant Travis Bill, November 22, 2023
- 6           • Deposition of Jody Lewis, December 8, 2023
- 7           • Deposition of Plaintiff, Mia Emery, December 11, 2023
- 8           • Deposition of Kevine Golonka, December 14, 2023

9           2.       Specific discovery that remains to be completed

10          The parties seek to take depositions of additional percipient witnesses, party witnesses, and  
11 medical providers. Discovery will be needed on the following subjects: all facts relating to the  
12 Plaintiff's allegations set forth in the Amended Complaint, and all defenses set forth in Defendants'  
13 Answer. The parties also need to disclose expert witnesses, and thereafter will seek to depose expert  
14 witnesses as needed.  
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16           3.       The reasons why the deadline was not satisfied or the remaining discovery was not  
17 completed within the time limits set by the discovery plan

18          The parties submit that good cause exists to extend discovery deadlines. At the time of the  
19 last extension, the parties had expended time to review documents and interview witnesses in order  
20 to ascertain the pharmacist and other individuals involved in dispensing Plaintiff's prescription at  
21 issue in her Amended Complaint. It was necessary to determine the correct employees as Plaintiff  
22 would need to determine whether a different party would be named in place of or in addition to  
23 Travis Bill. Thereafter, the parties served and responded to written discovery, which was necessary  
24 to complete before party and fact witness depositions could commence. The current extension has  
25 been made necessary due to difficulties on Defendants' end with scheduling depositions of current  
26 and former employees of CVS. The parties need additional time to complete this necessary fact  
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1 discovery before proceeding to expert discovery, and the holidays have added additional restrictions  
2 on scheduling. The parties have agreed that this will be the last extension necessary to complete  
3 discovery.

4 4. A proposed schedule for completing all remaining discovery

5 **Discovery Cut-Off Date(s).** Discovery will take (an additional) sixty days (60) days,  
6 measured from **February 2, 2024**. Therefore, discovery must be completed by **April 5, 2024**.

7 **Disclosure of Experts Fed. R. Civ. P. 26(a)(2).** Disclosure of experts shall proceed  
8 according to Fed. R. Civ. P. 26(a)(2) as follows:

9 (a) The disclosure of the parties' experts and expert reports shall occur on or  
10 before **February 5, 2024**, which is a date no later than sixty (60) days before the  
11 discovery cut-off date; and,

12 (b) The disclosure of the parties' rebuttal experts and their reports shall occur on  
13 or before **March 5, 2024**, which is thirty (30) days after the deadline for the initial  
14 disclosure of experts;

15 **Time Limitations on Amending the Pleadings and Adding Parties.** Unless otherwise  
16 ordered by the Court, the last day in which pleadings were to be amended, pursuant to Federal Rules  
17 of Civil Procedure, Rules 13, 14, and 15, was **November 3, 2023**. This is no later than ninety (90)  
18 days before the discovery cut-off date and does not exceed the outside limit presumptively set by  
19 Local Rule 26-1(b)(2) of ninety (90) days before the discovery cut-off date for filing such motions.  
20 As this date has passed, the parties are not seeking to extend this deadline.

21 **Time Limitations on Dispositive Motions.** All dispositive motions, including motions for  
22 summary judgment, must be filed by **May 6, 2024**. This date is thirty (30) days after the discovery  
23 cut-off date and within the outside limit of thirty (30) days following the discovery cut-off date that  
24 Local Rule 26-1(b)(4) presumptively sets for filing dispositive motions.

25 **Pretrial Order.** The pretrial order shall be filed by **July 5, 2024**, which is not more than  
26 thirty (30) days after the date set for filing dispositive motions in the case. In the event dispositive  
27 motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days  
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1 after decision of the dispositive motions or further order of the Court. The disclosures required by  
2 Fed.R.Civ.P. 26(a)(3) shall be made in the joint pretrial order.

3 The parties respectfully submit that good cause exists to extend the discovery deadlines by  
4 sixty (60) days as detailed hereinabove.

5  
6 DATED this 13<sup>th</sup> day of November, 2023. DATED this 13<sup>th</sup> day of November, 2023.

7  
8 BURRIS & THOMAS, LLC

WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC

9  
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Road CVS, LLC and Travis Bill*

20 **ORDER**

21 IT IS SO ORDERED.



22 DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

23 DATED: 11/14/2023  
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